

ORDER NO. 52

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Dan G. Blair, Chairman;
Mark Acton, Vice Chairman;
Ruth Y. Goldway; and
Tony L. Hammond

Complaint of Michael Hammond

Docket No. C2008-1

ORDER ON REPORTING SETTLEMENT PROGRESS AND
ON FILING ANSWER TO COMPLAINT

(Issued January 3, 2008)

Michael Hammond filed a complaint under 39 U.S.C. § 3662¹ concerning a dispute with the Goffstown, New Hampshire postmaster over the location of his mail receptacle, and alleging that the postmaster is arbitrarily and capriciously denying him carrier delivery service and is deliberately destroying his mail. In Order No. 47, the Commission invoked rule 85 (39 CFR § 3001.85) with respect to informal methods of resolution, suspended the date for submission of a formal answer by the Postal Service, and appointed Kenneth Richardson as settlement coordinator. The Commission tasked Mr. Richardson with attempting to facilitate a negotiated settlement and ordered that he report on the status of settlement by December 21, 2007.

¹ The Complaint referenced both the Postal Reorganization Act (PRA) and the Postal Accountability and Enhancement Act, which amended the PRA.

In his status report,² filed December 21, 2007, Mr. Richardson indicated that the Postal Service requested more time to review the matter and consider the possibility of an accommodation to resolve the issue. The Postal Service authorized Mr. Richardson to convey that it will file a progress report regarding settlement activity at the local level with the Commission on January 18, 2008. If the Postal Service indicates in its January 18 report that settlement is unlikely, then it is to file its answer to Mr. Hammond's complaint on or before January 25, 2008.

It is ordered:

1. The Postal Service's progress report on settlement of the complaint is to be filed on or before January 18, 2008.
2. If the progress report indicates that settlement is unlikely, the Postal Service's answer to the complaint in Docket No. C2008-1 shall be filed on or before January 25, 2008.

By the Commission.

Steven W. Williams
Secretary

² Status Report of Settlement Coordinator, December 21, 2007.